WP(C) 491/2006

BEFORE

THE HON'BLE MR JUSTICE B. K. SHARMA

Heard Mr. J. Ahmed, learned counsel for the petitioner and Mr. U.K. Goswami, learned Standing Counsel for the Education Department.

The grievance of the petitioner as highlighted in this writ petition is against non-payment of monthly salary and Dearness Allowance for certain period as mentioned in Para-4 of the writ petition. The said paragraph is quoted here in below :-

\4. That the authority has been paying his salary regularly but he has not paid the salary for the month November and December 1998, for the month of January/2000, February/2000, November/2000, December/2000 and for the months January/2001, February/2001 and arrear revised pay w.e.f. 1.1.96 to 31.7.98 and arrear D.A. w.e.f. 1.1.1998 to 31.1.2001, arrear D.A. w.e.f. 1.7.2001 to 31.5.2003, arrear D.A. w.e.f. 1.7.03 to 31.12.04 and also monthly salary of February, 2005.\

As agreed to by the learned by the learned counsels for the parties and in view of the nature of the grievance raised in this writ petition including the investigation that would be necessary to grant relief, if any, to the petiti0ner, this petition is disposed of at the motion stage itself with the following orders.

That the petitioner shall file a representation before the Director of Elementary Education, Assam, Kahilipara, Guwahati highlighting his grievance indicated hereinabove for non-payment of his salary and Dearness Allowance for certain period and on receipt of such representation, the Director of Elementary Education shall verify and scrutinize the same and decide about the entitlement of the petitioner of the claimed amount. If the petitioner is entitled under the law, Rules, Regulations and guidelines covering the field to get the aforesaid claimed amount or any part thereof, the Director shall pass appropriate orders. It is further directed that the Director shall pass such appropriate orders within a period of 3 (three) months from the date of receipt of the representation along with a certified copy of this order. The petitioner may also furnish a copy of the writ petition along with its enclosures.

This disposes of the writ petition.